

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

2/12/2007 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 04-00036SOM  
CASE NAME: USA vs. (01) Young Eun Chung  
ATTYS FOR PLA: Michael Kawahara  
ATTYS FOR DEFT: 01 William Harrison  
INTERPRETER: Susan Wehrman  
Anne Shimokawa (USPO)

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JUDGE:	Susan Oki Mollway	REPORTER:	Debra Chun
DATE:	2/12/2007	TIME:	1:45 - 2:10

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COURT ACTION: EP: Sentencing to Counts 1 and 2 of the Indictment; Defendant's Motion for Downward Departure -

Defendant (01) Young Eun Chung present, with interpreter Susan Wehrman, who was previously sworn.

Court adopts the PSR and the USPO's recommendation, and they are placed under seal.

Defendant's Motion for Downward Departure - Denied.

ADJUDGED:

Probation: 18 Months as to each of Counts 1 and 2, to run concurrently.

Special Assessment: \$200.00 ( \$100.00 per count).

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision (mandatory condition). The Court waives the mandatory drug test condition.
- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant serve 6 months of home detention with electronic monitoring as arranged by the Probation Office. During this time, the defendant shall remain at her place of residence during non-working hours and shall not leave her residence without the approval of the Probation Office. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures pursuant to the Participant's Agreement and shall earn leave as determined by the Probation Office. The defendant also will be responsible for the payment of the electronic monitoring costs as directed by the Probation Office.
- ▶ That the defendant execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
- ▶ That the defendant shall submit her person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
- > That the defendant enroll in education classes or maintain employment on a part-time basis during the period of supervised release.

- ▶ That the defendant submit to removal proceedings, including deportation or exclusion as required by the Department of Homeland Security. The defendant shall not enter the United States without proper authorization.

Defendant advised of her right to appeal.

Submitted by: Toni Fujinaga, Courtroom Manager.